HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (M)NO. 1 OF 2005.
IN
FAMILY COURT APPEAL NO. 126 OF 2004.

Piyusha R. Mehta. ..Applicant.
Versus.
Rajesh Harilal Mehta. ..Respondent.

Smt. Piyusha R.Mehta, applicant in person.
Mr. Sachindra Shetye for the respondent.

CORAM: S.B.MHASE &
R.S.MOHITE, JJ.

DATE: FEBRUARY 7, 2005.

P.C.

1. This is an application made by the applicant - Smt. Piyusha Mehta seeking stay to our order dated 4.2.2005 passed in Civil Application No.1 of 2005 for a period of eight weeks in order to enable her to file necessary proceedings in the Supreme Court of India. The respondent - husband states that the execution proceeding has already been filed in the Family Court. After hearing both the sides, in the interest of justice, the execution proceeding shall not proceed for a period of four weeks on the condition that the applicant files an undertaking in this court stating therein that she is in exclusive possession of Flat No A-304, Laxmi Chayya Co-operative Housing Society, situated at L.T. Road, Bavli Naka, Borivali (West) and that she will not part with the possession of or create any third party interest in respect

of the said flat or any part thereof and will vacate the said premises in case no order is obtained from the Supreme Court within the aforesaid period of four weeks. This undertaking will be filed in this court within a period of one week from today. If, within the aforesaid period of one week the undertaking is not filed, the relief that is being granted under this order will stand automatically vacated. The copy of the said undertaking will be served upon the respondent immediately after the same is filed in this court. With this order this civil application is disposed off. We make it clear to the applicant that no further relief will be granted by this court.

(R.S.MOHITE,J.) **(S.B.MHASE, J.)**

:srp/2005/